

Chapter 246-366A WAC, Primary and Secondary Schools

Comments on Proposed Rule Filed as WSR 08-15-174, July 23, 2008

Comments Received after September 10, 2008

Index

[illegible]



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SEP 12 2008

WA STATE BOARD OF HEALTH

Washington State Senate

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Olympia, WA 98504-0433

Senator Karen Keiser
33rd Legislative District

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September 11, 2008

Treuman Katz, Chair
Washington State Board of Health
PO Box 47990
Olympia, WA 98504-7990

Dear Chairman Katz-

I am writing you today to share my concerns regarding the Board of Health's (BOH) consideration of proposed changes to Chapter 246-366A of the Washington Administrative Code. Various issues have come to my attention which leads me to believe that legislative review of the proposed rules would be a prudent step prior to adoption. Therefore I am asking the Board of Health to postpone further consideration of any changes until after the 2009 Legislative session.

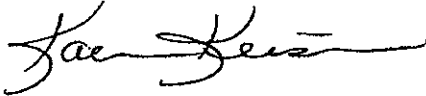
I am aware that the current WAC is outdated and does need revision. Recent events involving water and mold in schools also indicate that some districts may need assistance in directing efforts to provide safe school environments. However, a "one size fits all approach" may not be beneficial to all districts and could in fact cause financial difficulty where none need be created. For example, if a district were to test its systems for lead, find none and make no changes to the system to introduce such a hazard, is it necessary to continually test the supply? In such a situation, are we actually increasing the safety of the school environment or consistently reconfirming what we already know? I use this as one example of creating a rule which may need to be developed to allow for flexibility among districts.

At the September 10th meeting of the BOH there was also testimony centered on exemptions for small private schools due to the cost burden of compliance. I believe that at this late date, if the BOH is still considering who will or will not be included in the rules, that it is clear that further review is needed. Just this issue alone raises the question of what constitutes a small school, will public schools also be eligible, what is considered an undue burden for these schools, and how that would balance with the goals of a safe school environment.



With these concerns in mind, I strongly suggest that the Board of Health withhold any decisions until after the 2009 Legislative session, giving legislators and all parties concerned more time to examine this issue.

Sincerely,



Senator Karen Keiser
Chair, Health and Long Term Care Committee
33rd Legislative District

cc: Christina Hulet, Executive Policy Advisor, Office of the Governor
Craig McLaughlin, Executive Director BOH
John Welch, Superintendent, Highline School District

From: janelle neil [mailto:janelleil@comcast.net]
Sent: Monday, September 15, 2008 2:33 PM
To: DOH WSOH
Cc: 'Meade Thayer'; 'Judy Jennings'
Subject: Meeting September 10th

To the members of the committee:

First and foremost, thank you for all of your hard work on student health and safety. I am equally thankful that I am not sitting in the chair next to you with the responsibility you have. It must be challenging to be required to make regulations, and then be 'under fire' for the recommendations you have made.

After attending the meetings September 10th, testifying, and hearing your concluding remarks, I have gained a greater appreciation for your job and ask that you continue to pursue safe measures for students/employees that are working in potentially 'sick buildings'. Keeping employees and children safe is of critical import.

In terms of 'how' this can be accomplished, several things need to be taken under consideration. As testimony indicated, there are many public school districts that are less-affluent than others, as well as the overwhelmingly negative impact these regulations would have upon the smaller, independent schools. There are also a number of private schools-both large and small- that will be impacted by an across-the-board rule of law.

I hope a method would arise out of these meetings that would establish regulations that do not follow a 'one size fits all' regulatory approach. Rather the development of a rating system that would be establish levels of 'threat' to health or injury and possible interventions, enforcement, and appeal must be established along with the regulations. Thus if a situation presents a seriously danger to staff or students (similar to restaurant closures ratings), the building could be closed pending repair of named hazard. However if there is an issue (sample, venting laminators), the inspector should have a 'sliding' scale of safety measures to follow and affordable intervention strategies suggested, time to repair, or 'ticket/fine' and appeal process.

As I am sure the Building Department had major objections to construction mandates coming from outside of their department, the objections do not negate the need to keep buildings safe. Once other regulating departments enter into construction regulations, a whole layer of problems will surface and might to bring a landslide of impossible regulations down on schools - old or new construction. Resulting in which laws are obeyed, which are mandated and who inspects and approves buildings? Specific regulations must be aligned so that schools know whose regulations they are following: Health or Building Department?

Finally, smaller private schools that share space with another entity (whether religious or non religious); despite the word of the regulation, small schools cannot always obey regulations as they may, for example, use the Sanctuary/Temple areas for assemblies; or utilize only a portion of the building and/or share the building with another entity (such as a church school sharing space with a Montessori school and a Head Start Program).

Again, I appreciate your hard work, and if there is any way I may be of service to you, I am willing to help. I would rather be part of a solution, than a problem.

Janelle Neil
Head of School
Academy Schools, Kent, WA
253-852-4949
318 5th Avenue South
Kent, WA 98032

Catherine Bambrick

From: McLaughlin, Craig D (DOH)
Sent: Monday, September 15, 2008 3:10 PM
To: Bambrick, Cathy (DOHi)
Cc: Boe, Heather D (DOH); Therien, Ned (DOH)
Subject: RE: School Rules Comments

Cathy,

We can certainly communicate your comments to the Board even is the deadline has passed.

Craig

<<<<<<<<<<<<<<||>>>>>>>>>>>>>>>>

Craig McLaughlin, Executive Director
Washington State Board of Health

From: Cathy Bambrick [mailto:cathy.bambrick@co.kittitas.wa.us]
Sent: Monday, September 15, 2008 2:58 PM
To: DOH WSOB
Subject: School Rules Comments

Greetings,

I know I'm late but I have a letter to submit for consideration to the SBOH about the School Rules. Please let me know if you have to disregard my submittal. I have a community person who has brought it to my attention that I missed the deadline – Thelma Simon. I need to respond to her if you indeed do not accept my comments. Again, I apologize for the delay. Thank you

Cathy Bambrick
Administrator
Kittitas County Public Health Department



To Protect and Promote the Health and the Environment of the People of Kittitas County

September 10, 2008

Washington State Board of Health
P.O. Box 47990
Olympia, WA 98504-7990

To Whom It May Concern,

Kittitas County Board of Health and Public Health Department would like to formally submit our support for the State Board of Health's proposed update of the current school rules, WAC 246-366 (to be replaced with WAC 246-366A) with the caveat that sufficient time is allotted for local health jurisdictions to receive training, acquire staff, materials and other essential items necessary to effectively implement the regulation. Also, consideration for funding needs is critical for local health jurisdictions that do not have financial systems in place to implement the rules.

The current rules have been in place since 1971. Kittitas County is one of only nine local health jurisdictions with an active school health and safety inspection program. However, the proposed rules include new program elements that are more extensive than the current ones. The new rules add drinking water testing within the school for lead and copper contamination.

There are great concerns about the resources needed to successfully implement the new rules, even for counties that currently have school health and safety programs. WSALPHO expressed these concerns in a letter to the State Board of Health. Passage of new rules will create the expectation that local health is able to inspect schools without additional funding. Public Health Departments across the state are cutting programs and staff due to budget shortfalls.

The Washington State Department of Health is preparing a funding request so they have the resources to provide training and technical support for the new rules. If approved, the request would address some of our needs by providing training and technical assistance to local public health agencies. We greatly encourage support of the Department's proposal.

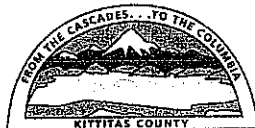
We would also support a reasonable delay to the adoption of the rules so the Legislature can look into funding issues associated with them. While we currently have the mechanism in place to bill schools for our inspections, other local health jurisdictions do not. Thank you for your consideration of our request.

Sincerely,

A handwritten signature in cursive script that reads "Catherine Bambrick".

Catherine Bambrick, Administrator

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Washington State Senate

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Senator Craig Pridemore
49th Legislative District

(360) 786-7696
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E-mail: pridemore.craig@leg.wa.gov

Mr. Treuman Katz, Chair
Washington State Board of Health
P.O. Box 47990
Olympia, WA 98504

September 24, 2008

Dear Chair Katz and Members of the Washington State Board of Health:

I am writing to request that the Board of Health delay taking action on the School Environmental Health and Safety Rule, Chapter 246-366A WAC, until after the 2009 Legislative Session.

I support the work of the Board to ensure a safe and healthy learning environment for students statewide. I understand that the Board and the Department of Health have undergone a lengthy process to address issues raised by many divergent stakeholders. Unfortunately, the Rule is costly to implement and has come before the Board just as the State and our public schools face challenging budget constraints. As you may know, we are heading into the 2009 Legislative Session with a projected budget deficit of over \$3 billion.

Given the current budget situation, the timing of the rule implementation is of particular concern. I respectfully request that the Board delay taking action on the Rule until after the Legislature has had the opportunity to consider the Rule and to determine funding priorities for the 2009-11 Operating Budget and the Capital Budget. Thank you for your consideration.

Sincerely,

Senator Craig Pridemore
State Senator, 49th Legislative District

cc: Craig McLaughlin, Executive Director, State Board of Health

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SEP 26 2008

WA STATE BOARD OF HEALTH





DATE: October 6, 2008

TO: State Board of Health

From: Nancy Beaudet MS, CIH, Catherine Karr MD PhD, Sheela Sathyanarayana MD MPH
NW PEHSU, University of Washington

RE: State Board of Health Primary and Secondary Schools Rule - Chapter 246-366A WAC -
Primary and secondary schools

NW PEHSU strongly endorses the proposed rule. Children spend a significant portion of their day in our state's schools, and it is important that the school environment is healthy for children. The proposed SBOH rule strikes a fair balance between school improvements which impact health based on sound scientific evidence and the costs associated with rule implementation.

For example, more rigorous lead in drinking water provisions are clearly supported by peer reviewed medical literature which demonstrates the adverse effects of lead exposure on cognitive development in children. This is especially important given the high lead levels documented in many of the Seattle Public Schools drinking water fountains and the lessons learned during their remediation efforts.

Secondly, many adverse respiratory health effects associated with moisture and mold exposures are well established. Therefore, specific rules to guide school districts to identify and remediate these exposures are reasonable.

Thirdly, the indoor air and health literature also clearly characterizes the importance of building heating and ventilation systems to indoor air quality and occupant health. Detailed rules to address these systems helps to ensure school districts address heating and ventilation system problems.

NW PEHSU also supports other important proposed rule enhancements which promote school environmental health and safety such as lighting, ambient and impact noise control, hazardous chemicals, technical arts, and school siting.

In summary, we applaud the SBOH's effort to revise the current rule by incorporation of provisions supported by the peer-reviewed public health evidence base. This effort will improve the school environment and help ensure building-related factors do not detract from the State's mission to educate children in Washington.

Gary Arthur

Sent: Sunday, October 05, 2008 8:44 AM
To: DOH WSOBH

Meeting_Date: October 08
Agenda_Item: school environmental health
Issue_Area: school environmental health
Name: Gary Arthur
Title: none
Organization: none
Address: 1636 Pierce Ave SE
City: Renton
State: WA
Zip: 98058
Email: garyandannie@comcast.net

Summarization:

PRO---if schools can afford costly litigation against staff and parents who speak up about conditions, they can afford to maintain basic industrial hygiene.

Position_Reasons:

Dear Mr. Katz & Board of Health Members,

Have you seen photos of the old Cedarhurst Elementary's ceilings and walls? The district's leaders and attorneys insisted the photos weren't real. Supt. McGeehan also said, when parents confronted him with a glass of murky water from a school fountain, "The water may not be clear, and it may not be tasty, but it is completely safe."

The Highline School District leadership has hidden important details from you. The opposition to implementing rules to protect against this type of abuse gives the impression that some bureaucrats are helping school district administrators cover up their mess.

Highline's case against Annette Shillinger, who worked in the notoriously moldy Cedarhurst Elementary before suffering from lung damage and a complex of respiratory problems, was built on the weak rules that have been in place all these years.

In order to protect their PR, Highline's leaders resorted to legal maneuvers and outright lies. Terrified of class action suits by parents, the superintendent and his attorneys spared no expense to overturn an L&I award, to mislead the public, and to discredit people who spoke up about it.

For example, a Freedom of Information Act request revealed dozens of work orders to repair leaks at Cedarhurst between 1998 (after the first mold remediation) and 2001 (the second remediation). Despite knowing about all these water intrusion problems, the district testified that they'd repaired all leaks. In court their facilities manager would say Highline simply couldn't afford to make the permanent repairs. Even

as mats of slimy mold grew on ceilings and walls, the district's PR spokeswoman told parents that everything possible was being done to make sure the building was safe.

The district hired a physician and an industrial hygienist 10 months after Annette Shillinger began coughing up blood at Cedarhurst; both of these experts would tell the community, in a taped meeting, that a building should never be permitted to contain water-damaged materials for longer than 48 hours. Each expert made it clear that he was unable to judge the safety of the building prior to their investigation, but in court they would change their stories. They testified under oath that if the building was safe in 2004, it had been safe all the years prior to that.

Highline's \$200 an hour lawyer would argue that photos in evidence couldn't be substantiated; despite spending tens of thousands of dollars on attorney fees, their facilities manager told the court the district couldn't afford to maintain roofs that didn't leak. They insisted that mold doesn't create respiratory problems.

In fact, the district's paperwork revealed a single check to Group Health for Annette's medical records at \$14,000; attorney bills they shared with me in my FOIA request showed other payments to the lawyers that were even higher. The district never fully complied with my FOIA request for bills related to the legal expenses of the court case, so I cannot cite a final price tag. It is logical to assume that with 22 depositions, at least 2,000 sheets of paper, 7 days in court, and no fewer than 6 separate hearings cost the school district a sum of money that could have been spent keeping the school clean and dry in the first place.

Please don't automatically buy the excuses that protecting children and staff who go to decrepit or under-maintained schools is too expensive. The facts in this case show that district leaders make choices with their money, and protecting PR is clearly a higher priority than ensuring a safe environment

Call me if you would like to check any of these facts. If you are trying to help Washington's kids, you would do well to question their administrators about details.

Additional comments:

I would like to speak in person with those appointed by my elected leaders, but your meeting schedule would require me to take time off from my job as a 5th grade teacher. I appreciate having a chance to submit comments. May I have some acknowledgement that my comments actually reached the decision makers?



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Washington State Senate

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Senator Eric Oemig
45th Legislative District

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E-mail: oemig.eric@leg.wa.gov

October 7, 2008

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OCT 10 2008

WA STATE BOARD OF HEALTH

Mr. Treuman Katz, Chair
Board Members
Washington State Board of Health
P.O. Box 47990
Olympia, WA 98504-7990

Dear Mr. Katz and Members of the Board of Health:

Thank you for tackling environmental health and safety in our state's schools. The paramount duty of our state is basic education. More important than teaching our kids a lesson at school is to ensure our children are safe while at school.

I am writing you to pledge my support in prioritizing state funding to implement the new rules for school health and safety which you are considering for adoption.

Among the new rules, I am pleased to see that EPA guidelines for dealing with contaminated drinking water and mold remediation in schools have been incorporated into the revised WAC 246-366A. These safeguards add to our increasing efforts (e.g. recent remediation of contaminated playground soil) to ensure that children are safe.

I understand that the proposed revision of WAC 246-366 has taken approximately 4 years of public process.

There is no doubt in my mind that health and safety budgets in schools have suffered as a result of chronic under-funding of schools. I agree with the quote from a Feb. 1, 2007 report on school facilities deficiencies by the Washington Association of Maintenance and Operations Administrators (WAMAO):

"More and more research is showing that this is a false economy and facilities should compete on the same priority level with instructional needs. The physical environment plays a major role in the health and safety of building occupants and has a measurable impact on the teaching and learning that occurs."

The State Board of Health has heard numerous testimonies on how unsafe schools have harmed schoolchildren and teachers. These testimonies clearly illustrate why we must increase safety rules and ensure compliance.



I encourage you to complete your important work on school environmental health and safety rules this fall, before the legislative session. It is imperative that legislators understand the technical requirements of WAC 246-366A, so that we can provide adequate funding for the implementation of these requirements. Adoption of WAC 246-366A by the State Board of Health will help instruct the Legislature on critical areas where action is needed.

I look forward to working with my colleagues in the Senate to make sure that the health and safety of school children is addressed as a paramount duty of our state government.

Sincerely,



Eric Oemig
Senator

cc: Senator Jacobsen
Senator Kauffman
Senator Hobbs
Senator Eide
Senator
Senator McAuliffe
Senator Tom
Mark Cooper Ph.D



237 John A. Cherberg Building
314 Sid Snyder Ave. SW
PO Box 40446
Olympia, WA 98504-0446

Washington State Senate

Senator Ken Jacobsen
46th Legislative District

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OCT 09 2008

WA STATE BOARD OF HEALTH

Phone: (360) 786-7450
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Mr. Treuman Katz, Chair
Board Members
Washington State Board of Health
P.O. Box 47990
Olympia, WA 98504-7990

Dear Mr. Katz and Members of the Board of Health:

Thank you for your dedicated efforts in addressing environmental health and safety in our state's schools. I am writing you to pledge my support in obtaining state funding to implement the new rules for school environmental health and safety, which you are now considering for adoption.

Among the new rules, I am very pleased to see that our nation's Environmental Protection Agency (EPA) guidelines for dealing with contaminated drinking water and mold remediation in schools have been incorporated into the revised Washington Administrative Code, WAC 246-366A. These regulatory safeguards add to our state's increasing efforts (e.g. recent remediation of contaminated playground soils) to ensure that children have safe learning environments.

I understand that the revision of WAC 246-366 has taken approximately 4 years of public process to achieve. From public comment on the proposed rules, it is very clear that state funding is essential to implement these rules. It is now time for our government, and our society as a whole, to reaffirm the importance of health and safety in our schools.

We must also take this opportunity to reaffirm our support of public health agencies, which play a critical role in training school personnel, and monitoring the proper implementation of school environmental health rules.

There is no doubt in my mind that health and safety budgets in schools have suffered as a result of our state's chronic under-funding of schools. I agree completely with the following quotes from a Feb. 1, 2007 report on school facilities deficiencies by the Washington Association of Maintenance and Operations Administrators (WAMAO):

"Unfortunately, all too often when the facility needs are in competition with educational priorities in the budget process, the facilities suffer."
... "More and more research is showing that this is a false economy and facilities should compete on the same priority level with instructional needs. The physical environment plays a major role in the



health and safety of building occupants and has a measurable impact on the teaching and learning that occurs."

The State Board of Health has heard numerous testimonies on how unsafe schools have harmed schoolchildren and teachers. These testimonies clearly illustrate why we must increase state support for public health agencies, and their training for school personnel.

The Legislature must also provide adequate funds and budgetary flexibility to school districts, so that they can repair and upgrade deteriorating school facilities.

I encourage you to complete your important work on school environmental health and safety rules this fall, before the upcoming legislative session. It is imperative that legislators recognize and respect the technical requirements of WAC 246-366A, as well as to provide adequate funding for the implementation of these requirements. Adoption of WAC 246-366A by the State Board of Health will help instruct the Legislature on critical areas where action is needed.

I look forward to working with my colleagues in the Senate to make sure that the health and safety of school children is addressed as a paramount duty of our state government.

Sincerely,



Ken Jacobsen, Senator
46th Legislative District - Seattle

Jennifer Aspelund

From: VERRYTRD@aol.com [mailto:VERRYTRD@aol.com]

Sent: Wednesday, October 08, 2008 11:54 PM

Subject: October 8th, 2008 WAC Revision

This note is in regard to the State Board of Health Meeting held on October 8th, 2008 in Yakima WA. The topic discussed below is the revision of WAC 246-366 K-12 School environmental Health and Safety.

Dear, Chairman Katz, Board Members and Staff,

I want to first address the courage and compassion that board members Karen VanDusen and Mel Tonasket showed during the "deliberations" at the board meeting today, your vote today demonstrated your strength. When all of you accepted the responsibility of serving on the board you agreed to the Board's mission which is to provide statewide leadership in developing and promoting policies that protect and improve the public's health. Today six of you neglected your duties as described. You failed the very people you have been charged with protecting. Your actions today were gutless and cowardly. You caved in to the State Legislature and you should be ashamed. While you chose to delay this process for nine more months you must keep in mind that on a daily basis many occupants of unhealthy schools will be harmed, and you all will be responsible. Why? Because it will be on your watch! For many of these rules/guidelines there is a phase in. There was more then enough time for funding to occur. If you think that waiting until June will allow funding to take place you have been sorely mistaken. As mentioned by some board members, the State Legislature has not stepped up for the last 15 years regarding this revision. What makes those of you think that just because the State Legislature is willing to consider this revision that funding will occur? When the verbiage states they will "consider" taking up the topic of funding the revision of WAC 246-366 that means "MAYBE" ! Can you live with a MAYBE?

I have lost faith in all of you who voted to delay this. After attending board meeting across this state. Showing you pictures of the school my son and daughter attended and still you chose to delay voting. My son could have died in this mold invested school you have seen pictures of. Cancer patients who are immune compromised can die from exposure to mold. You all have seen the pictures. I assume each you do not keep a house that is moldy. Why on earth would you allow our young students and our staff who teach them to spend 8+ hours in closed up rooms that have mold all over the ceiling? Where is your justification in your decision? Is there any information in your bylaws that states you put money before public health? Every day laws and guidelines are passed in all parts of our government. They all cost money! School district personnel have ways of finding all kinds of money when unhealthy , unsafe conditions in schools leads to *litigation*. Do any of you find that behavior questionable? Risk managers arranging for consultants to be paid sixty thousand dollars to say that mold and indoor air will not make most people sick. The song and dance that there is no money is a myth!

If you are worried about losing your position on the board or worried about the board losing funding or having your authority taken away to deal with some health concerns than who are you really serving? You all should have voted to pass this. By passing this in a unanimous vote it would have sent a message to the State Legislature that you all were behind this all the way. Now that you have bailed, the message to the State Legislature will be mixed. I can only imagine the Legislature thinking... hmmm.... if they waited 15 years and 9 months why cant they wait a bit longer and a bit longer. If you cannot serve your position without fear repercussions then you should not be serving !

Chairman Katz you apologized at the last meeting for this taking so long. And you assured the public that action would be taken at the next meeting on Oct 8th , you reiterated several times that this had gone on far to long.... What changed? You voted to extend this until June can you elaborate as to why?

I really hope that I have conveyed how dissatisfied I am with some board members.

Sincerely,
Jennifer Aspelund

From: Beth Nichols [mailto:maltedmous@yahoo.com]
Sent: Monday, November 03, 2008 5:28 PM
To: DOH WSBOH
Subject: Regs for schools

The State of Washington has no business adding ridiculous ambient noise level regulations to private, or public, schools. I already pay tuition to a great school, do not add regulations which will increase the cost of education.

Give us all credit for being more concerned about our children that you are. This is a needless regulation.

Beth Nichols

From: Julee Dilley [mailto:dilleyicious@comcast.net]
Sent: Monday, November 10, 2008 2:31 PM
To: DOH WSBOH
Subject: New Regulations for Health & Safety of Schools

Board of Health:

PLEASE reconsider these new regulation regarding the so called "health and safety" of our children. I know that as a parent if I saw that the lighting in my child's room was such that they had trouble seeing I would take this up with the school. If I thought the noise level was too high, I would take it up with the school. I would even come to you if the problem wasn't addressed.

I don't need the Department of Health to assess the lighting angle when you enter a classroom or the amount of sound emitted by fluorescent lights. I don't see these as true "health and safety" issues. I especially don't need the added cost to the school of approximately \$25,000. We send our children to a private school and already pay a fair amount for their education. We DON'T need any increase in tuition for such "health and safety" concerns.

Thank you for your attention to this email.
Julee Dilley

Denise Frisino
P.O. Box 25083
Seattle, WA 98165

March 2, 2009

State Board of Health
Olympia Washington

Dear State Board of Health Members,

Thank you for taking the time to read my letter and my enclosed materials.

I ran into two of my former students from Hamilton International Middle School in the last two weeks, usually a very joyous encounter. However, when I learned of their health problems, I was deeply saddened.

While at Hamilton, a school that is in the process of being partially renovated, a building where some of the workers performing this renovation have become ill and have been out on L & I, a building in which I got cancer, I taught these students.

One told me she finally saw a doctor pertaining to her reoccurring problem, the same problem she always complained about in my class, and the doctor told her he needed to immediately remove the large growths on her ovaries. One of the other teachers in this building had a growth removed "the size of a grape fruit". My other student told me she had her breast cancer removed at age 21. Theses two students were lucky; two students have died of brain cancers.

I remind you of how the District responded to our complaints of indoor air problems and molds. They hired EXPERTS who found nothing.

Enclosed is a recent review of one of the EXPERTS hired by the district.

A Critique of the ACOEM Statement on Mold, by James Craner, MD, MPH, FACOEM, FACP

When reading the recommendations Dr. Craner states:

RECOMMENDATIONS

ACOEM as an organization should not continue to defend its Mold Statement. Instead, it should acknowledge its wrongdoings and retract both the original Statements and the JOEM publication of it,³ as well as its "Ambush" response.¹¹⁷ If ACOEM is to salvage any respect as an organization, it must create an open process within its membership to address mold and other controversial issues in a much more balanced

manner, consistent with the stated ACOEM mission and generally accepted methods for evidence-based guidelines and peer review.^{5-7,47-49}

The events that led to the Mold Statement's publication justify the need for a review and overhaul of

ACOEM management and policies. Important questions must be asked from within and outside the organization.

As an organization that represents the majority of OEM physicians, ACOEM must find leadership and management that embraces a willingness to accept meaningful, substantive reform to deal with the serious ethical and professional problems of OEM. The following measures would begin the necessary steps toward achieving such reform:

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We are late to the aid of my former students and their health. We are late to providing SAFE environments to our current students across the State because there are no rules to protect them. We are late in insisting our Government take the correct actions for the health and benefit of our students and staff, a Legislature that now claims there are no funds to implement these rules.

We are late because you chose to wait.

Act now. Your delay has prolonged the process and pushed it into an unknown future.

Thank you,
Denise Frisino

Maria Mason

Dear State Board of Health members-

3/10/09

Boy do I feel hoodwinked.

It took 1 letter on 2/24/09 from an 8th Grader to the White House & Congress to make Obama and a nation aware of our "crumbling schools."

It took **USA Today** to do a series of investigative reports called "The Smokestack Effect: Toxic air and America's schools" to shame the EPA and other health authorities to act on this problem, including 2 schools in WA.

Parents, teachers, & students started pleading in 1993 with all Washington health, government and education agencies to make changes to WAC 246-366 and acknowledge IAQ in our schools.

State Board of Health acknowledged the issue in 5/8/2002. In 7/2003 the SBOH asked the DOH to revise the rules by 7/2004. The process has taken 6 years. How many other states have taken this long?

In 1995 State Attorney General Christine Gregoire spent \$1.5 million on a criminal investigation involving fraudulent construction and inspection work on public schools in Washington. There was **NO** follow thru or correction to the 10 Eastern Washington schools that were identified with shoddy construction and violations.

We have given packets and talked to 3 Washington Governors seeking their help: Lowry, Locke, and Governor Gregoire with little or no assistance to schools IAQ problems, and the effects it has had on our student and teacher population.

WAC 246-366 was written 38 years ago (1971), revised 18 years ago (1991). As of 3/10/09 the Legislature now must formally approve the implementation of the rules through the budget, & has until 2015 to finish implementing them.

The SBOH/DOH websites need to update their information, and make the sites easier for people to navigate.

1. How is a person to know what to look under? Environmental health,
Primary & Secondary School Environment or Health & Safety Rule revision
1. Information is not updated- last update Oct 17, 2008 and October 8, 2008
2. You can click "watch bill": But where does it say that adoption of school environmental health and safety rules are now SB 5779 or HB 2070?

Teachers and students who have illnesses due to their school environment or shoddy construction don't understand "unfunded mandates" or why it has taken 16 years to deal effectively with these problems.

In the words of Donald Trump; "You are fired!" for failing to protect the health & safety of teachers and students in Washington State.

Sincerely,

Maria Mason

10764 NE Broomgerrie Rd

Bainbridge Island, WA 98110

(206)-842-1991 Masonmaria@aol.com

James Green

From: Glenna Green [mailto:greenbns@cleelum.com]
Sent: Tuesday, March 17, 2009 5:48 PM

To all board members and concerned parties.

...First I would like to thank Mr. Crump for his service as I feel he has been a great asset to the issue I have been involved in. I am sure he has addressed many other issues in the same thorough, compassionate way during his tenure. On my issue I will hope he stays active in his personal capacity to continue to move this forward to law and funding. Again thank you!

In regards to the meeting March 11 2009 on the way to the meeting I was called to set a meeting with Christina Hulet executive policy adviser governors office per my request. My colleagues and I met and discussed the current status of ssb5779 and its effects if passed on proposed rule revision 246-366. We request that the governor veto this bill if it passes in its current form. As a alternative we requested that the governors office, S.B.O.H. and legislature work together to come up with a way to move the proposed revision to law immediately, while recognizing that funding is not available at this time. We still have a duty to protect our children! Some of the more costly measures while still needing to be funded could possibly be delayed on implementation, however they would be in place and problems potentially arising in the meantime would fall to the new rule to be addressed appropriately to the new standards. In my opinion this would cost little or no money upfront as most of the revision has been in law for forty years, unless a problem arises causing emergency funding. While not ideal it would be a path forward while protecting our children, until full funding could be achieved allowing full compliance.

I encourage you as board members to work with legislators both as board members and as individual constituents to bring some positive move forward by June to put the revision into law. I believe most all are in agreement that this is needed but funding is the remaining issue, not that it will be easy but I believe if we all work together we can get it done! Thanks to all, that help in this regards.

sincerely JAMES W. GREEN

Bill Alsdurf Jr., Tall Cedars Academy
Maureen Blum, Citizen
Mary Anne Callaghan, Citizen
Kevin Connell, Gonzaga Preparatory School
Susan Donnelly, Whatcom Day Academy
Joy Dunlap, Citizen, Poulsbo
Del Dykstra, Sunnyside Christian School
Kim Feerer, Cedar Tree Montessori School
Elizabeth Fitzgerald, St. John's School
Sherri Goetze, Pullman Christian School
Kathi Hand, Assumption-St. Bridget School
Donna Hargrave, Camas Montessori School
DeAnna Henning, Christ the King Academy
Lynne Hereth, Zion Lutheran School

Judy Jennings, Washington Federation of Independent Schools
Matthew Kamps, Everett Christian School
Jan Morrison, Washington Federation of Independent Schools
Janelle Neil, Academy Schools
Glenn M. Olson, Rainier Christian Schools
Hilary Prentice, Sammamish Montessori
Stephanie Sadler, St. Paul's Academy
Stephan Rodmyre, Holy Trinity Lutheran School
Denny Taylor, Centralia Christian School
Ronald D. Trautwein, Buena Vista Seventh-day Adventist School
Lynette VandeKieft, Evergreen Christian School
Maria Veliz, New Horizon School
Jim Weller, Rogers Adventist School
Liz Wiggins, Cascade Christian Schools
Jo Ann Yockey, Westside School

From: efitz@stjkschool.com
Sent: Wednesday, April 08, 2009 9:18 AM
To: DOH WSBOH
Subject: Private schools and ARRA monies
WSBOH,

We are pleased that public schools are able to access this kind of funding. We know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, we also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

Thank you for your consideration.

Sincerely,
Elizabeth Fitzgerald
Administrator
St. John's School
706 Stewart St.
Yakima, WA 98902

From: Del [scoffice@embarqmail.com]
Sent: Wednesday, April 08, 2009 7:35 AM
To: DOH WSBOH
Subject: School environmental health and safety rules
To Whom it may Concern,

In regards to the school environmental health and safety rules we are pleased that public schools are able to access the funding to improve schools. We know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, we also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

Thank you for your consideration.

Del Dykstra
Sunnyside Christian School

From: Lynette VandeKieft [lynettev@evergreenchristianschool.org]
Sent: Tuesday, April 07, 2009 4:09 PM
To: DOH WSBOH
Subject: HB 2334

I know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, I also recognize that state funding does not either. If HB 2334 passes, I would request that private schools be given consideration of an extended timeline to implement the new DOH School Health and Safety Guidelines. In such a difficult economy, it would be difficult to implement these new rules without the ability to budget for it and plan for the changes. Thank you for considering this request.

Sincerely,
Lynette VandeKieft
Administrator
Evergreen Christian School
1010 Black Lake Blvd. SW
360.357.5590
www.ecsonline.cc

From: Joy Dunlap [joy.dunlap@ckaeagles.com]
Sent: Tuesday, April 07, 2009 2:51 PM
To: DOH WSBOH
Subject: from a concerned citizen

Regarding HB 2334, School Environmental Health and Safety Rule. I am pleased that public schools are able to access this kind of funding. I know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, I also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

Thank you for your consideration.

Joy Dunlap
Poulsbo, Washington
360.779.7295

From: DeAnna Henning [deanna.henning@ckaeagles.com]
Sent: Tuesday, April 07, 2009 2:48 PM
To: DOH WSBOH
Subject: Dept of Health

To whom it may concern:

Please consider private schools when making decisions regarding HB2334. Our small private school in Poulsbo, as all private schools in Washington State, are not funded by ARRA monies. IF HB2334 passes, please consider our plight. Consider a timeline for implementation of the new DOH School Health and Safety Guidelines. Otherwise, we will be handicapped financially. What we receive in tuition dollars from families will not go toward the actual quality education of the children but to meeting these guidelines. With enrollment declining because of the difficult economy, it would be a tragedy to mandate these unfunded rules to our private schools.

Your considerations is greatly appreciated.

DeAnna Henning
Principal of Christ the King Academy
705 NE Lincoln
Poulsbo, WA 98370
360.779.9189
www.cka@ckaeagles.com

April 2009

From: Lynne Hereth [Lynne.Hereth@lsportal.net]
Sent: Tuesday, April 07, 2009 12:08 PM
To: DOH WSBOH
Subject: HB2334

We are pleased that public schools are able to access this kind of funding. We know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, we also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

Thank you for your consideration.

Lynne Hereth, Principal
Zion Lutheran School

From: Susan Donnelly [sdonnelly@whatcomday.org]
Sent: Tuesday, April 07, 2009 10:08 AM
To: DOH WSBOH
Subject: HB 2334

It is great that public schools will be able to access this funding. However, if HB2334 passes, independent schools, who cannot access this funding, must receive appropriate considerations with regard to timeline and cost of implementing the new DOH School Health and Safety Guidelines. Our little school is already facing hardships due to enrollment decline in a difficult and uncertain economy.

Thank you for your consideration.

Susan Donnelly
Whatcom Day Academy
5217 Northwest Ave.
Bellingham, WA 98226
Phone: (360) 312-1103
Fax: (360) 312-1804

From: Hilary Prentice [hilary@sammamishmontessori.com]
Sent: Tuesday, April 07, 2009 9:25 AM
To: DOH WSBOH
Subject: HB 2334 - School Environment Health & Safety Rule

Dear Lawmakers,

I am writing regarding pending HB 2334 -- School Environmental Health & Safety Rule

We are pleased that public schools are able to access this kind of funding. We know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, we also recognize that state funding does not either. However, if HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

Thank you for your consideration,

Hilary Prentice
Business Manager
hilary@sammamishmontessori.com
425-883-3271 SMS
425-765-9791 Cell

From: Maureen Blum [m.blum@stbens.net]
Sent: Tuesday, April 07, 2009 9:16 AM
To: DOH WSBOH
Subject: HB2334

We are pleased that public schools are able to access this kind of funding. We know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, we also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

From: cedar_tree@att.net
Sent: Tuesday, April 07, 2009 9:10 AM
To: DOH WSBOH
Subject: Private Schools and HB 2334, School Environmental Health and Safety Rule

Dear Anyone Who Cares,

If our little nonprofit elementary school has to comply with the HB 2334, School Environmental Health and Safety Rules, it might break us financially. Please consider that we have dropping enrollment in this economy and no state or federal funds to pay for these improvements. We'd love to be more environmentally and safety conscious, too, but can't afford any improvements at the moment. Can you take this into consideration when passing this bill?

Kim Feerer, Director
Cedar Tree Montessori School
2114 Broadway Ave.
Bellingham, WA 98225
(360) 714-1762
www.cedar-tree.org
cedar_tree@att.net

From: Mary Anne Callaghan [mcallaghan@am-hs.org]
Sent: Tuesday, April 07, 2009 7:40 AM
To: DOH WSBOH
Subject: Unfunded Mandate

We are pleased that public schools are able to access this kind of funding. We know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, we also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

Thank you for your consideration.

Mary Anne Callaghan
310 NE 85th Street
Seattle, WA 98115

April 2009

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From: Jim Weller [wellji@RSchool.org]
Sent: Monday, April 06, 2009 6:39 PM
To: DOH WSBOH
Cc: 'Judy Jennings'; 'Larry Marsh'
Subject: HB 2334

To the State Department of Health:

It looks like economic stimulus money will make compliance with HB 2334 quite possible for public schools. That's great for them. We private schools, of course, will not be receiving that financial assistance, either federal or state. I'm sure the President's intent was to create jobs, not to close private schools. If HB 2334 passes, private schools must receive generous consideration when it comes to a timeline for implementation the new DOH School Health and Safety Guidelines. Many private schools are seeing declining enrollments due to the current economic situation. What an irony if the federal government's generosity towards state schools became an additional economic hardship to the independent schools.

Thank you for your consideration.

Jim Weller

Principal, Rogers Adventist School
College Place, Washington

From: Ron Trautwein [rdtrautwein@yahoo.com]
Sent: Monday, April 06, 2009 5:21 PM
To: DOH WSBOH
Subject: HB 2334

As a private school administrator, funds are tight and enrollment for the coming school year may be declining. ARRA monies that have been allotted for Washington state will not be spent at private schools, nor will state funding. If HB 2334 passes, private schools will need considerable latitude with regard to a timeline for implementino of the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools, in these difficult economy, into an unfunded mandate to implement these new rules. This is not the right time for this action.

Thank you for your consideration.

Ronald D. Trautwein

Principal, Buena Vista Seventh-day Adventist School
Auburn, WA
(A WFIS Member School)

From: janelle neil [janelleneil@comcast.net]
Sent: Monday, April 06, 2009 4:18 PM
To: DOH WSBOH
Subject: HB2334

We are pleased that public schools are able to access this kind of funding. We know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, we also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules. Implementation of these stringent rules for private schools will force many, including our school, out of business. Being a large percentage of our students would have to return to public schools, the burden placed on the state's school system would be considerable.

Thank you for your consideration.

Janelle Neil, Head of School
Academy Schools
Kent, WA

From: Sherri Goetze [SherriG@PullmanChristianSchool.org]
Sent: Monday, April 06, 2009 3:51 PM
To: DOH WSBOH
Subject: HB 2334

I am pleased that public schools are able to access this kind of funding. I know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, I also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

Thank you for your consideration.

Sherri Goetze
Principal
Pullman Christian School
PullmanChristianSchool.org
SherriG@PullmanChristianSchool.org

From: Donna Hargrave [camasmontessori@yahoo.com]
Sent: Monday, April 06, 2009 3:51 PM
To: DOH WSBOH
Subject: ARRA monies

To Whom it may concern:

We are pleased that public schools are able to access this kind of funding. We know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, we also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

Thank you for your consideration.

Donna Hargrave, Administrator
Camas Montessori School
1004 NE 4th Ave.
Camas, Wa. 98607
360-834-7434, FAX 360-834-7843
camasmontessori@yahoo.com

From: Glenn Olson [golson@rainiercsd.org]
Sent: Monday, April 06, 2009 3:42 PM
To: DOH WSBOH
Subject: HB 2334 - Impact on Private Schools

Dear Department of Health:

Rainier Christian Schools is an active member with the Washington Federation of Independent Schools. We have grave concerns about the impact that HB 2334 will have on private schools. Private schools have been struggling significantly, as have public schools, during this difficult economic time. Furthermore, private schools do not have the ability to raise \$3 billion (or even a 1/10th of that amount) to fund additional mandated programs for environmental and facility related issues. I am sure that this bill would not be passed for public schools without the funding provisions—knowing that public schools could not comply without funding—but it appears that is exactly what is being done for private schools.

We have and continue to operate safe and healthy schools. Compromising the health and safety of our students is not something we would allow, nor would our constituents, but the two tier approach (funding for public; no funding for private) is clearly not equitable, nor fair. Many of these points have already been made in previous public testimony hearings. Some sort of accommodation must be made to avoid a potentially catastrophic impact to private schools.

I implore you to work with WFIS in coming up with reasonable standards that would not destroy a countless number of the private schools operating in Washington State.

Thank you,
Glenn M. Olson, CPA, CDP
Rainier Christian Schools

From: Marla Veliz [mveliz@new-horizon-school.org]
Sent: Monday, April 06, 2009 3:39 PM
To: DOH WSBOH
Subject: HB 2334

We are pleased that public schools are able to access this kind of funding. We know that the ARRA monies that were allotted to Washington State do not cover private schools and, of course, we also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

Thank you for your consideration.

Sincerely,
Marla Veliz, Administrator
New Horizon School
1111 S. Carr Rd.
Renton, WA 98055
425-226-3717

April 2009

From: Matt Kamps [mkamps@everettchristian.org]
Sent: Monday, April 06, 2009 3:22 PM
To: DOH WSBOH
Subject: HB 2334 private school consideration

To the Washington State Board of Health:

I am pleased that public schools are able to access this kind of funding. I know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, I also recognize that state funding does not either. If HB 2334 passes, private schools like ours must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

Thank you for your consideration.

Matthew Kamps
Principal
Everett Christian School
2221 Cedar St., Everett, WA 98201
(425) 259-3213

From: Liz Wiggins [liz@cascadechristianschool.org]
Sent: Monday, April 06, 2009 3:18 PM
To: DOH WSBOH
Subject: HB 2334

We are pleased that public schools are able to access this kind of funding. We know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, we also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines. It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules. Thank you for your consideration.

Sincerely,

Liz Wiggins

Assist. To Superintendent

Cascade Christian Schools

On behalf of Cascade Christian Schools

April 2009

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From: Kevin Connell [kconnell@gprep.com]
Sent: Monday, April 06, 2009 3:18 PM
To: DOH WSBOH
Subject: Health Safety Rule Changes

Dear Washington State Board of Health Members:

My name is Kevin Connell. I am the principal of Gonzaga Preparatory School in Spokane, the only Catholic high school in the Spokane-Coeur d'Alene area.

I am writing to ask that, if HB 2334 passes, private schools be given a substantial amount of time beyond that given to public schools in which to implement the required changes.

Despite the false image many people have of private schools, Gonzaga Prep like many other private schools is not a wealthy institution serving wealthy students. One quarter of our students would qualify for Free and Reduced Price Lunch programs were they to attend public schools. Gonzaga Prep distributed almost 2 million dollars in need-based financial aid for the current school year.

The parents and guardians of our students, as well as our employees, support public education. They pay their taxes. They vote for bonds and levies, despite the fact their students do not benefit directly from these costs to them. Moreover, private schools relieve the state of some of its responsibility for educating young people by doing so at no cost to the state (and no loss of tax revenue.) Private schools will be given no access to federal stimulus funds to make the changes required by HB 2334, despite the fact that we accept as students and employ as teachers, staff, etc. persons of all faith backgrounds (including those who have no religious beliefs whatsoever.)

We work hard as do all our sister private schools of every kind to adhere to state and federal safety standards for our students and employees. Since we rely on families' willingness to expend discretionary funds beyond what they are required to contribute toward public education, it is extremely important that we maintain a safe environment. We simply have no access to the large financial resources which public schools will have to help them meet these changes. We ask then that, should these new requirements be established, that we be given an extended timeframe in which to meet them.

Thank you for your service and consideration.

Sincerely,

Rev. Kevin Connell, S.J.

From: Jo Ann Yockey [joanny@westsideschool.org]
Sent: Monday, April 06, 2009 3:16 PM
To: DOH WSBOH
Subject: HB 2334

We are pleased that public schools are able to access this kind of funding. We know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, we also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

Thank you for your consideration.

Jo Ann Yockey, Head of School

Westside School
10015 28th Ave. SW
Seattle, WA 98146
206.932.2511

April 2009

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From: Kathi Hand [klhand@asbschool.org]
Sent: Monday, April 06, 2009 3:06 PM
To: DOH WSBOH
Subject: HB 2334

We are pleased that public schools are able to access this kind of funding. We know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, we also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

Thank you for your consideration.

Kathi Hand

Principal

Assumption-St. Bridget School

206-524-7452 extension 90

From: Judy Jennings [jjennings@wfis.org]
Sent: Monday, April 06, 2009 12:15 PM
To: DOH WSBOH
Cc: 'Jan L. Morrison, WFIS'
Subject: RE: HB 2334 - Jobs Creation/Construction
To: DOH

Thank you for including us in the memo. I am thrilled for public schools to be able to access this kind of funding. We know that the ARRA monies that were allotted to WA. State do not cover private schools and of course, we also recognize that state funding does not either. If this passes, private schools need to have some HUGE consideration regarding a timeline to implement the new DOH School Health and Safety Guidelines. It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules. Thank you for your consideration.

Thank you!

Judy Jennings

Executive Director

Washington Federation of Independent Schools

253-606-5646

From: Jan L. Morrison, WFIS [jmorrison@wfis.org]
Sent: Monday, April 06, 2009 12:02 PM
To: DOH WSBOH; "Dr. Bill Keim"; "Dr. Jane M. Gutting"; "Dr. Jerry Jenkins"; "Dr. Rich McBride"; "Dr. Terry A. Munther"; "Dr. Twyla G. Barnes"; "Dr. Walt Bigby"; "Mr. Bruce Hawkins"; "Mr. Monte Bridges"; "Apperson Craig \\\(OSPI\\)"; Owen"; Manuel"; "Laura"; Brenda"; "Gordon"; Brine, David (WSSDA); Moe"
Subject: Re: HB 2334 - Jobs Creation/Construction

While we are pleased by the potential this holds for public schools, it will also trigger an unfunded mandate for private schools. If private schools are not to be provided financial relief, they must be excluded from the provisions of the bill.

Jan Morrison, Assistant to the Director

For Judy Jennings, Executive Director

Washington Federation of Independent Schools

P. O. Box 449

DuPont, WA 98327

Telephone: 253.912.WFIS (9347)

Fax: 253.912.9346

E-Mail: jmorrison@wfis.org

April 2009

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From: Stephan Rodmyre [mailto:srodmyre@htlc-campus.org]
Sent: Wednesday, April 08, 2009 2:21 PM
To: DOH WSBOH
Subject: HB2334

Since the state will not be giving private schools any money to implement this program (if adopted) it would seem that compensating private schools by giving them a time extension to comply with the requirements is the very least that should be written into the legislation – unless some monies are going to be earmarked for private schools. Thank you for your consideration.

Stephan Rodmyre, Principal, Holy Trinity Lutheran School, Des Moines, WA

From: Bill Alsdurf [mailto:bill@talcedarsacademy.com]
Sent: Wednesday, April 08, 2009 12:14 PM
To: DOH WSBOH
Subject: Please help us

We are pleased that public schools are able to access this kind of funding. We know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, we also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines. It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules. Thank you for your consideration.

Bill Alsdurf Jr.
Headmaster
Tall Cedars Academy

From: Denny Taylor [mailto:dtaylor@centraliachristianschool.org]
Sent: Thursday, April 09, 2009 9:32 AM
To: DOH WSBOH
Subject: Regarding HB 2334

We are pleased that public schools are able to access this kind of funding. We know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, we also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

Thank you for your consideration.

Denny Taylor
Centralia Christian School
1315 S. Tower Ave.
Centralia, WA. 98531
360.736.7657
www.centraliachristianschool.org

April 2009

From: Stephanie Sadler [mailto:ssadler@sp-academy.org]

Sent: Saturday, April 11, 2009 5:24 PM

To: DOH WSBOH

Subject:

We are pleased that public schools are able to access this kind of funding. We know that the ARRA monies that were allotted to Washington state do not cover private schools and, of course, we also recognize that state funding does not either. If HB 2334 passes, private schools must receive HUGE consideration of a timeline to implement the new DOH School Health and Safety Guidelines.

It would be extremely unfair to force schools that are seeing an enrollment decline in a difficult economy into an unfunded mandate to implement these new rules.

Thank you for your consideration.

Stephanie Sadler

Head of School

St. Paul's Academy

3000 Northwest Ave.

Bellingham, WA 98225

360-733-1750



RECEIVED (33)

MAY 28 2009

WA STATE BOARD OF HEALTH

Washington State Legislature

May 27, 2009

Mr. Treuman Katz, Chair
Board Members
Washington State Board of Health
P.O. Box 47990
Olympia, WA 98504-7990

RE: Proposed School Environmental Health & Safety Rule,
Chapter 246-366A WAC.

Dear Mr. Katz and Members of the Board of Health:

We understand that the Board will have its next regular meeting on June 10th in Olympia at which it may take up the proposed rule for School Environmental Health & Safety. Therefore, we want to draw your attention to the language that has been adopted in Section 222(1) of the 2009-11 Operating Budget.

We trust that the Board will respect the budget proviso and will not adopt the rule at this time. The intent of the proviso is to create a partnership between the Legislature and the Board to identify the most cost effective means for maintaining our commitment to the health and safety of our schools. We look forward to keeping an open dialogue with the Board to ensure that funding can be identified before the rule is adopted.

Sincerely,

Senator Rodney Tom
Vice Chair, Senate Ways & Means

Senator Fred Jarrett
Senate Early Learning & K-12 Education

Senator Rosemary McAuliffe
Chair, Senate Early Learning & K-12 Education

Representative Mark Ericks
Vice Chair, House Ways & Means

Representative Kelli Linville
Chair, House Ways & Means

cc: Craig McLaughlin

Summary of Public Testimony at State Board of Health Meetings After the August & September 2008 Hearings for WSR 08-15-174, Chapters 246-366 and 346-366A, WAC – Primary & Secondary Schools

October 8, 2008

Thelma Simon, parent from Cle Elum, thanked the Board for keeping the rule going. She said she started her involvement on environmental health issues in schools with Maria Mason in 1996. She said her son testified in Olympia about school health problems when he was nine-years-old. He is now in college. She commented that the existing rule is 38-years-old, maybe before car seat belts were required. She said she is disappointed because she sees the Board as the parents' only hope. She said she found it interesting that the testimony from one legislator is given more weight than that of parents and teachers who have testified to the Board around the state over the years. She hopes that the Board moves the rule forward when it can.

November 12, 2008

Jill VanGlubt, representing the Washington Education Association, thanked Board members for speaking in support of the school rule at its October meeting. She asked the Board to follow through with the Legislature and to remember the past testimony from parents and teachers

Greg Lee, private citizen, said he is retired but discussed his work on school issues during his career, which included many years with OSPI. He said he supports efficient and effective implementation of school health and safety rules. He stressed the importance of maintenance and said schools tend to divert money from maintenance. He recommended specifying categorical funding for maintenance. Comparative spending on maintenance continually declines, he says. Large repairs, such as replacing a roof after 30 years, come from district budgets. This requires passing a local bond or levee. He recommended that school districts instead build reserve accounts for anticipated major repairs. He said schools need state grants to make up for years of neglect. He asked the Board to take these issues to the Legislature. Member Tonasket asked if Mr. Lee had his testimony today in writing. Mr. Lee referred to written comments he submitted on September 8, 2008.

Annette Schillinger, former teacher, said that she supports Greg Lee's observations. During her teaching days, there was mold in her school and her students complained of health effects such as bloody noses. She said she has had long-term health problems related to the mold in her school. She showed a photograph from 2003 of mold in a restroom in her school and said the rule should not require 10 square feet of mold before the school remedies the problem. She encouraged response be required for any amount of mold. Mr. McLaughlin said that the provision about 10 square feet of mold was for mandatory notification and that all mold had to be remediated no matter the size.

Mark Cooper, a former parent representative on the SRDC, complemented the Board for its moving support of the school rule at its October meeting. He suggested the Board's school rules set no threshold for mandatory notification of parents and staff when mold is detected in a school. He expressed concern that public health has responded poorly to the health threat from mold in schools and said he has been discussing this with legislators

and recommending that state positions be established to respond to such threats. Dr. Cooper provided a handout from the DOH Web site about ESB 5049, legislation passed in 2005 that requires landlords to inform tenants about potential health impacts from mold. He also provided a copy of a review article about possible human health impacts from one type of mold [Toxicological Sciences 104(1). 4-26, 2008].

January 14, 2009

Jill VanGlubt, Washington State Education Association (WEA), said her organization continues to monitor the progress of the school rule and considers school health and safety a top priority. She thanked the Board for mentioning WEA in a letter to the Legislature about school funding.

Thelma Simon, citizen, commented on schools in Thurston and Kitsap Counties that had roof damage during recent storms. The Cle Elum school lost power. She commented on problems caused by the loss of records and reports for the Cle Elum school. Local school personnel were unaware of reasons to maintain the ventilation in the school. She also reported that the Kittitas County Health Department cut two positions and when she reported the recent situation at the Cle Elum school, there was not a school program person anymore.

March 11, 2009

Kate Bradley, librarian at Bellevue Community College and member of WEA Air Quality Committee, said WEA is supportive of SBOH adopting the proposed school rule and offered lobbying assistance.

James Green, citizen of Cle Elum, expressed concern that the Legislature was hindering the Board's intentions to adopt the school rule.

Jennifer Aspelund, former teacher, pointed out a statement of Chair Katz that the Board intends to adopt the rule in some form after the legislative session of 2009. She encouraged the Board to adopt the rule. She provided a handout with a picture of a classroom with ceiling tile damage and asked that it not be used in Board presentation. She said that she testified on SB 5779 and was upset with the way she was treated by Senator McAuliffe.

Maria Mason, testified that she was discouraged about the progress of the school rule. She encouraged the Board to do what it could to explain the importance of the rule to legislators. She pointed out a USA Today article about EPA investigating air quality around schools.

Kyle Sturgill-Simon, former student in Kittitas County, urged the education of legislators about the importance of the proposed school rules.

Keith Simon, parent of Kyle, urged the Board to adopt the proposed school rule.

Thelma Simon, parent of Kyle, encouraged the Board to find a way to adopt revised school rules.